

Notice of Allowability

Application No.

10/613,942

Applicant(s)

KIRBY ET AL.

Examiner

Quochien B. Vuong

Art Unit

2685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 07/07/2003.
2. ☒ The allowed claim(s) is/are 1 and 2.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 07/07/03
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Reasons for Allowance

1. Claims 1-2 are allowed over the cited prior art.
2. The following is an examiner's statement of reasons for allowance:

Regarding independent claims 1-2, Martensson (US 5,241,583) discloses in combination a method (figure 1) comprising a mobile phone which includes a housing, a power source in said housing, operational circuitry in said housing, an on/off switch on the housing and electrically connected to said operational circuitry and to said power source to activate said operational circuitry when said on/off switch is in an on condition and to de-activate said operational circuitry when said on/off switch is in an off condition; and a locking system on the mobile phone (column 3, line 63 – column 5, line 41). And Bonacci et al. (US 4,404,435) disclose a telephone lock (figures 1-2) for prevent unauthorized use (column 2, lines 11-54). However, Martensson and Bonacci et al. fail to further teach the combination and method above wherein the lock connected to the on/off switch, the lock moving between a locked condition and an unlocked condition, the lock including elements which prevent the on/off switch from changing between condition or between the off and the on condition and when the lock is in the locked condition and which permit the on/off switch to change between the on condition and the off condition or between the off condition and the on condition when the lock is in the unlocked condition, a key which is associated with the lock, elements in the key and in the lock which prevent the lock from changing from the locked condition to the unlocked condition when the key is not connected to the lock and which permit the lock to change from the locked condition to the unlocked condition when the key is

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connected to the lock, a power source connecting switch connecting the power source to the housing, the power source connecting switch also being connected to the on/off switch, the power source connecting switch including elements that automatically move the on/off switch into the off condition whenever the power source is removed from the housing, the on/off switch being movable from the off condition to the on condition unlocked only when the lock is in the unlocked condition whereby after the on/off switch is automatically moved into the off condition by removal of the power source from the housing, the key must be connected to the lock and the lock moved into the unlocked condition to permit the on/off switch to be moved back into the on condition.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 07/07/2003 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hanson (US 4,153,823) discloses a telephone lock.

Fielden (US 6,314,283) discloses a cellular phone subsidy lock.

Pazdersky et al. (US 6,546,239) disclose mobile radio telephone with reduced key set.

Uusimaki (US 6,571,086) discloses wireless communication device and a control means.

Elomaa (US 6,892,081) discloses mobile terminal and method of operation using content sensitive menu keys in keypad locked mode.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quochien B. Vuong whose telephone number is (571) 272-7902. The examiner can normally be reached on M-F 9:30-18:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Quochien B. Vuong
Sep. 29, 2005.

QUOCHIEN B. VUONG
PRIMARY EXAMINER